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SIPDIS

FROM THE AMBASSADOR
LONDON, PARIS, ROME FOR AFRICA WATCHERS

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TAGS: [PREL](#) [KDEM](#) [PGOV](#) [KE](#)
SUBJECT: KENYA: PUSHING KIBAKI AND ODINGA ON REFORM

Classified By: AMBASSADOR MICHAEL E. RANNEBERGER FOR REASONS 1.4 (B)
AND (D)

¶1. (C) Since the beginning of the year, in addition to keeping in close touch by phone, I have met with President Kibaki and Prime Minister Odinga each a number of times to urge them to follow through on implementation of the reform agenda agreed to as part of the coalition agreement last year.

¶2. (C) The meetings with Kibaki have taken place with his advisers present, a marked departure from the regular sessions I had with him during the crisis and subsequently. In those one-on-one meetings, as previously reported, Kibaki engaged on issues in a frank and constructive manner. By contrast, in our recent meetings he seemed uneasy talking in front of his advisers. I nevertheless spoke frankly and directly. I emphasized to Kibaki that his government needs to move quickly to take advantage of the unparalleled opportunity to expand and strengthen the partnership between the United States and Kenya. I noted the upcoming opportunities potentially resulting from the Prime Minister's desire to lead a trade and investment mission to the United States before mid-2009 and the AGOA forum set for August 2009. I emphasized that in order to maximize these opportunities, the government must move quickly to implement the reform agenda, including tackling the culture of impunity. The Special Tribunal to hold accountable those involved in post-election violence must be set up. I specifically expressed concern about reports of continuing corruption, particularly with respect to the oil and maize shortages (see septels). I noted that change and reform are key themes in both the United States and Kenya. I called attention to increasing frustration among ordinary Kenyans about the lack of decisive action against corruption. I also urged Kibaki to follow through to bring about a referendum on constitutional revision by the end of this year, and to set up a new independent electoral commission, among other steps. I gave Kibaki a non-paper laying out specific issues.

¶3. (C) Clearly not wanting to talk much in front of his advisers, Kibaki said only that he is committed to implementation of the reform agenda, including fighting corruption and setting up a local Special Tribunal to hold accountable perpetrators of post-election violence. He acknowledged the point I made that Kenyans need to hear more from him directly about the direction and activities of the coalition government. Kibaki maintained that he is fully supporting Prime Minister Odinga to carry out his mandate to supervise and coordinate the functions of government.⁸ Kibaki said that the coalition government can only succeed if Odinga is effective in his role as PM. Finally, he encouraged

me to continue my activism to promote implementation of the reform agenda. &You are very active, very active indeed, and that,s good,8 Kibaki said. (Note: As usual, I found Kibaki highly perceptive and he looked fit. He continues to maintain a busy schedule, and it would be a serious mistake to underestimate his intelligence or political acumen. End note.)

14. (C) I have had several more expansive one-on-one discussions with Prime Minister Odinga. I went over much the same ground as with Kibaki. With Odinga, however, I emphasized the responsibility that falls on him to exert leadership. Given Kibaki,s longstanding style of remaining somewhat distant from day-to-day management, I told Odinga that he must take the lead to implement the reform agenda. Kenyans want him to live up to the reputation he earned while in the opposition of being a populist reformer, and are increasingly disillusioned that he has not acted boldly. I argued that he cannot get to victory in the 2012 elections through the business-as-usual political route; rather, he needs to take action on reforms and to counter the culture of impunity that will appeal to youth across ethnic lines. This means wounding some of the vested interests around him but, if he hesitates, he will be dragged down by those same vested interests. I also gave Odinga a non-paper laying out the specific issues.

15. (C) Odinga also emphasized his commitment to the reform agenda. He specifically said that he is taking action against corruption in the maize sector. He subsequently announced some limited steps to revamp policy and allow greater to the private sector, but those fall far short of bold action against corruption. He also ordered an internal audit of the National Cereals Board,s activities, but we are not optimistic that this will lead to concrete anti-corruption reforms in the short term. During a March 9 discussion, Odinga told me he understands the need to &break from the pack,8 and energize the coalition government, as I had urged, and planned to deliver a major state of the nation-type address to begin that process. He outlined in some detail his intention to announce a sweeping series of steps, from establishing a panel on police reform, to focusing on 20 specific corruption cases. (As of March 16, he has not given the address.)

16. (C) During our meetings Odinga talked about the &resistance of the old order8 to change. &Something has to give,8 he said. I discussed with Odinga my efforts to energize civil society, the private sector, religious groups, and the media to push for change. He welcomed that. I reminded Odinga that during the crisis I had indicated we would support him to be successful if he agreed to a political solution. I also reminded him that we are not doing this because we have taken sides, but rather because the coalition government cannot besuccessful unless he succeeds in his role as Prime Minister. As I have before, I laid out frankly to Odinga steps he needs to take in order to be successful, including reorganizing his office to put in place effective people who will advocate and implement an agenda for change. Odinga expressed appreciation for continued close collaboration.

17. (C) In dealing with Kibaki and Odinga, it is always important to keep in mind that both men (Kibaki is 76 and Odinga is 64) are part of the &old order.8 They are enmeshed economically and politically with the same vested interests who oppose any real change. That said, they are the leaders of the coalition government, and the reform process will not advance without their support.

18. (C) While Kibaki probably has some sense of wanting to leave a legacy, he likely sees having restored peace to the country as one of his major contributions. He may also see his legacy as helping to work out an accommodation between his Kikuyu ethnic group (and their natural political allies, the Embu and Meru) and their rivals in the last election, the Kalenjins, which would constitute a majority alliance for the 2012 elections. Odinga seems to appreciate the need to act

more boldly, but at the same time he feels a real responsibility to maintain the stability of the coalition government. He is worried that bolder action to challenge the vested interests and culture of impunity could leave him isolated. While it would likely make him a hero among many young people (who constitute almost two-thirds of the population), Odinga also knows that those young people will be driven to some extent by ethnic considerations and the influence of the old guard who control the resources. Thus Odinga likely may believe that he will need the vested interests behind him in order to have any hope of being successful in 2012.

19. (C) All of that said, Kibaki and Odinga can still be driven in the direction of reform. Both men demonstrated during the crisis -- in response to popular pressure coupled with pressure from us, Annan, and others -- that they are ultimately pragmatic politicians. In agreeing to a political solution to end the crisis, they were responding in part to the violence, but also to the groundswell of popular sentiment across the nation expressed directly by ordinary Kenyans, and through civil society, the private sector, religious groups, and the media. In short, there is a reasonable chance that they can be moved to follow through with the reform agenda through a combination of energizing the Kenyan people to demand this, coupled with strong engagement by the U.S. and Kofi Annan.

RANNEBERGER